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REMARKS

Objection to the specification

Page 10, line 21, of the specification has been objected to because "color calibration algorithm library 310" should read "color calibration algorithm library 311." Applicant has amended the specification in this regard.

Claim rejections under 35 USC 102

Claims 1, 2, 5, 8, 9, 10, 13, 16, 17, and 18 have been rejected under 35 USC 102(b) as being anticipated by Sherman (5,537,516). Claims 1, 9, and 17 are independent claims, from which the remaining pending claims depend. Applicant submits that claims 1, 9, and 17 are patentable over Sherman, such that all of the claims are patentable over Sherman.

Applicant has amended claims 1, 9, and 17 to better clarify the subject invention. In particular, a "color calibration approach" is "input by a user," "as a desired one of a number of different color calibration approaches." Thus, the user gets to input the color calibration approach, as a desired calibration approach selected from a number of different color calibration approaches, and this user-input color calibration approach is that which is used for color calibration.

In this way, the claimed invention solves the problems noted in the background section of the specification, in which "existing color calibration modules typically are geared to only a given color calibration approach." However, "different users may have different requirements, and may want to use a number of different calibration approaches at different times." Because the claimed invention allows a user to input the color calibration approach that will be used for color calibration, as a desired one of a number of different such approaches, the claimed invention overcomes the limitations of the prior art.

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Sherman is consistent with the prior art summarized in the background section of the patent application, because it does not allow a user to input a desired color calibration approach to be used. For example, in column 15, lines 1-24, Sherman discloses the following:

> The values are made continuous . . . by a piecewise linear curve-fitting
> interpolation between readings combined with extrapolation . . . . Alternatively,
> . . . interpolation and extrapolation other than piecewise linear may be used. In
> one such alternate embodiment, polynomial interpolation and extrapolation is used.
> In another alternate embodiment, logarithmic functions are used.

Thus, Sherman does disclose different color calibration approaches – but in accordance with different embodiments of the invention. In one embodiment, the architecture of Sherman uses piecewise linear; in another embodiment, the architecture of Sherman uses polynomial; and in a third embodiment, Sherman uses logarithmic. *There is not an "all-encompassing" embodiment in Sherman in which the user is to input the color calibration approach to actually be used from these different color calibration approaches.* That is, a user in Sherman does not get to input or select *which* color calibration approach – such as linear, polynomial, or logarithm – that will be used for color calibration.

In this respect, Sherman is similar to the prior art summarized in the background section of the patent application, because it is "geared to only a given color calibration approach," to use the language of the patent application as filed – where in one embodiment this approach in Sherman is piecewise linear, in another embodiment it is polynomial, and in a third embodiment it is logarithmic. Sherman's architecture is thus "hard coded" with a given color calibration approach – be it linear, polynomial, or logarithmic, depending on what embodiment of Sherman you are talking about. Sherman never "receives" a color calibration approach that is "input" by a user from a number of different color calibration approaches, in contradistinction to the claimed invention. For these reasons, Sherman does not anticipate the claimed invention.

Applicant finally notes that the Examiner has cited Kohler (2004/0160641) as teaching a user interface 46 in paragraph [0041] on page 3 thereof. However, combining Sherman with Kohler still does not yield the claimed invention's enabling a user to input a color calibration

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approach from a number of different color calibration approaches. Sherman does not have this capability, as has been described, and Kohler's user interface also does not provide this capability. The only functionality ascribed to Kohler's user interface is "allow[ing] a user to choose a particular layout." (P. 4, para. [0059]) Combining Sherman with Kohler thus just yields a color calibration architecture in which there is a user interface by which to choose a particular layout in relation to which color calibration is performed.

Claim rejections under 35 USC 103

Claims 3 and 11 have been rejected under 35 USC 103(a) as being unpatentable over Sherman in view of Loushin (6,462,835), and claims 6, 7, 14, and 15 have been rejected under 35 USC 103(a) as being unpatentable over Sherman in view of Kohler (2004/0160641). Furthermore, claim 12 has been rejected under 35 USC 103(a) as being unpatentable over Sherman in view of Harrington (6,178,007), and claims 19 and 20 have been rejected under 35 USC 103(a) as being unpatentable over Sherman in view of Hadley (5,995,714). Claims 3, 6-7, 11-12, 14-15, and 19-20, are dependent claims, depending from one of the independent claims 1, 9, and 17 discussed above. Therefore, claims 3, 6-7, 11-12, 14-15, and 19-20 are patentable for at least the same reasons that claims 1, 9, and 17 are.

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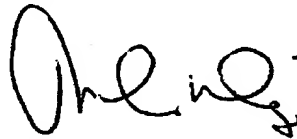
Conclusion

Applicants have made a diligent effort to place the pending claims in condition for allowance, and request that they so be allowed. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Mike Dryja, Applicants' Attorney, at 425-427-5094, so that such issues may be resolved as expeditiously as possible. For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

                                        Respectfully Submitted,

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